

Calendar No. 61

107TH CONGRESS
1ST SESSION**S. 498****[Report No. 107-26]**

Entitled “National Discovery Trails Act of 2001”.

IN THE SENATE OF THE UNITED STATES

MARCH 8, 2001

Mr. MURKOWSKI introduced the following bill; which was read twice and
referred to the Committee on Energy and Natural Resources

JUNE 5, 2001

Reported by Mr. MURKOWSKI, with amendments and an amendment to the
title[Omit the part struck through and insert the part printed in *italic*]

A BILL

Entitled “National Discovery Trails Act of 2001”.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Discovery
5 Trails Act of 2001”.

1 **SEC. 2. NATIONAL TRAILS SYSTEM ACT AMENDMENTS.**

2 (a)(1) Section 3(a) of the National Trails System Act
3 (16 U.S.C. 1242(a)) is amended by inserting after para-
4 graph (4) the following:

5 “(5) National discovery trails, established as
6 provided in section 5, which will be extended, contin-
7 uous, interstate trails so located as to provide for
8 outstanding outdoor recreation and travel and to
9 connect representative examples of America’s trails
10 and communities. National discovery trails should
11 provide for the conservation and enjoyment of sig-
12 nificant natural, cultural, and historic resources as-
13 sociated with each trail and should be so located as
14 to represent metropolitan, urban, rural, and back
15 country regions of the Nation. Any such trail may
16 be designated on federal lands and, with the consent
17 of the owner thereof, on any non federal lands.”.

18 (2) **FEASIBILITY REQUIREMENTS; COOPERATIVE**
19 **MANAGEMENT REQUIREMENT.**—Section 5(b) of such Act
20 (16 U.S.C. 1244) is amended by adding at the end the
21 following new paragraph:

22 “(12) For purposes of subsection (b), a trail
23 shall not be considered feasible and desirable for
24 designation as a national discovery trail unless it
25 meets all of the following criteria:

1 “(A) The trail must link one or more areas
2 within the boundaries of a metropolitan area
3 (as those boundaries are determined under sec-
4 tion 134(c) of title 23, United States Code). It
5 should also join with other trails, connecting
6 the National Trails System to significant recre-
7 ation and resources areas.

8 “(B) The trail must be supported by at
9 least one competent trailwide volunteer-based
10 organization. Each trail should have extensive
11 local and trailwide support by the public, by
12 user groups, and by affected State and local
13 governments.

14 “(C) The trail must be extended and pass
15 through more than one State. At a minimum,
16 it should be a continuous, walkable route.

17 “(13) The appropriate Secretary for each na-
18 tional discovery trail shall administer the trail in co-
19 operation with at least one competent trailwide vol-
20 unteer-based organization. Where the designation of
21 discovery trail is aligned with other units of the Na-
22 tional Trails System, or State or local trails, the des-
23 ignation of a discovery trail shall not affect the pro-
24 tections or authorities provided for the other trail or
25 trails, nor shall the designation of a discovery trail

1 diminish the values and significance for which those
2 trails were established.”.

3 (b) DESIGNATION OF THE AMERICAN DISCOVERY
4 TRAIL AS A NATIONAL DISCOVERY TRAIL.—Section 5(a)
5 of such Act (16 U.S.C. 1244(a)) is amended—

6 ~~(1) by re-designating the paragraph relating to~~
7 ~~the California National Historic Trail as paragraph~~
8 ~~(18);~~

9 ~~(2) by re-designating the paragraph relating to~~
10 ~~the Pony Express National Historic Trail as para-~~
11 ~~graph (19);~~

12 ~~by re-designating the paragraph relating to the~~
13 ~~Selma to Montgomery National Historic Trail as~~
14 ~~paragraph (20); and~~

15 ~~(4) by adding at the end the following:~~

16 *(1) by redesignating the second paragraph (21)*
17 *(relating to the Ala Kahakai National Historic Trail)*
18 *as paragraph (22); and*

19 *(2) by adding at the end the following:*

20 “~~(21)~~ (23) The American Discovery Trail, a
21 trail of approximately 6,000 miles extending from
22 Cape Henlopen State Park in Delaware to Point
23 Reyes National Seashore in California, extending
24 westward through Delaware, Maryland, the District
25 of Columbia, West Virginia, Ohio, and Kentucky,

1 where near Cincinnati it splits into two routes. The
2 Northern Midwest route traverses Ohio, Indiana, Il-
3 linois, Iowa, Nebraska, and Colorado, and the
4 Southern Midwest route traverses Indiana, Illinois,
5 Missouri, Kansas, and Colorado. After the two
6 routes rejoin in Denver, Colorado, the route con-
7 tinues through Colorado, Utah, Nevada, and Cali-
8 fornia. The trail is generally described in Volume 2
9 of the National Park Service feasibility study dated
10 June 1995 which shall be on file and available for
11 public inspection in the office of the Director of the
12 National Park Service, Department of the Interior,
13 the District of Columbia. The American Discovery
14 Trail shall be administered by the Secretary of the
15 Interior in cooperation with at least one competent
16 trailwide volunteer-based organization and other af-
17 fected federal land managing agencies, and state and
18 local governments, as appropriate. No lands or inter-
19 ests outside the exterior boundaries of federally ad-
20 ministered areas may be acquired by the Federal
21 Government solely for the American Discovery Trail.
22 The provisions of sections 7(e), 7(f), and 7(g) shall
23 not apply to the American Discovery Trail.”.

24 (c) COMPREHENSIVE NATIONAL DISCOVERY TRAIL
25 PLAN.—Section 5 of such Act (16 U.S.C. 1244) is further

1 amended by adding at the end the following new sub-
2 section:

3 “(g) Within three complete fiscal years after the date
4 of enactment of any law designating a national discovery
5 trail, the appropriate Secretary shall submit a comprehen-
6 sive plan for the protection, management, development,
7 and use of the trail, to the Committee on Resources of
8 the United States House of Representatives and the Com-
9 mittee on Energy and Natural Resources of the United
10 States Senate. The responsible Secretary shall ensure that
11 the comprehensive plan for the entire trail does not con-
12 flict with existing agency direction and shall consult with
13 the affected land managing agencies, the Governors of the
14 affected States, affected county and local political jurisdic-
15 tions, and local organizations maintaining components of
16 the trail. Components of the comprehensive plan include—
17 “(1) policies and practices to be observed in the
18 administration and management of the trail, includ-
19 ing the identification of all significant natural, his-
20 torical, and cultural resources to be preserved, model
21 agreements necessary for joint trail administration
22 among and between interested parties, and an iden-
23 tified carrying capacity for critical segments of the
24 trail and a plan for their implementation where ap-
25 propriate;

1 “(2) general and site-specific trail-related devel-
2 opment including costs; and

3 “(3) the process to be followed by the volunteer-
4 based organization, in cooperation with the appro-
5 priate Secretary, to implement the trail marking au-
6 thorities in section 7(c) conforming to approved trail
7 logo or emblem requirements. Nothing in this Act
8 may be construed to impose or permit the imposition
9 of any landowner on the use of any non-federal
10 lands without the consent of the owner thereof. Nei-
11 ther the designation of a National Discovery Trail
12 nor any plan relating thereto shall affect or be con-
13 sidered in the granting or denial of a right of way
14 or any conditions relating thereto.”.

15 **SEC. 3. CONFORMING AMENDMENTS.**

16 The National Trails System Act is amended—

17 (1) in section 2(b) (16 U.S.C. 1241(b)), by
18 striking “scenic and historic” and inserting “scenic,
19 historic, and discovery”;

20 (2) in the section heading to section 5 (16
21 U.S.C. 1244), by striking “**AND NATIONAL**
22 **HISTORIC**” and inserting “**, NATIONAL HIS-**
23 **TORIC, AND NATIONAL DISCOVERY**”;

24 (3) in section 5(a) (16 U.S.C. 1244(a)), in the
25 matter preceding paragraph (1)—

1 (A) by striking “and national historic” and
2 inserting “, national historic, and national dis-
3 covery”; and

4 (B) by striking “and National Historic”
5 and inserting “, National Historic, and Na-
6 tional Discovery”;

7 (4) in section 5(b) (16 U.S.C. 1244(b)), in the
8 matter preceding paragraph (1), by striking “or na-
9 tional historic” and inserting “, national historic, or
10 national discovery”;

11 (5) in section 5(b)(3) (16 U.S.C. 1244(b)(3)),
12 by striking “or national historic” and inserting “,
13 national historic, or national discovery”;

14 (6) in section 7(a)(2) (16 U.S.C. 1246(a)(2)),
15 by striking “and national historic” and inserting “,
16 national historic, and national discovery”;

17 (7) in section 7(b) (16 U.S.C. 1246(b)), by
18 striking “or national historic” each place such term
19 appears and inserting “, national historic, or na-
20 tional discovery”;

21 (8) in section 7(c) (16 U.S.C. 1246(c))—

22 (A) by striking “scenic or national his-
23 toric” each place it appears and inserting “see-
24 nic, national historic, or national discovery”;

1 (B) in the second proviso, by striking “see-
 2 nic, or national historic” and inserting “scenic,
 3 national historic, or national discovery”; and

4 (C) by striking “, and national historic”
 5 and inserting “, national historic, and national
 6 discovery”;

7 (9) in section 7(d) (16 U.S.C. 1246(d)), by
 8 striking “or national historic” and inserting “na-
 9 tional historic, or national discovery”;

10 (10) in section 7(e) (16 U.S.C. 1246(e)), by
 11 striking “or national historic” each place such term
 12 appears and inserting “, national historic, or na-
 13 tional discovery”;

14 (11) in section 7(f)(2) (16 U.S.C. 1246(f)(2)),
 15 by striking “National Scenic or Historic” and insert-
 16 ing “national scenic, historic, or discovery trail”;

17 (12) in section 7(h)(1) (16 U.S.C. 1246(h)(1)),
 18 by striking “or national historic” and inserting “na-
 19 tional historic, or national discovery”; and

20 (13) in section 7(i) (16 U.S.C. 1246(i)), by
 21 striking “or national historic” and inserting “na-
 22 tional historic, or national discovery”.

Amend the title so as to read: “A bill to amend the Na-
 tional Trails System Act to include national discovery trails,

and to designate the American Discovery Trail, and for other purposes.”.

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